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PART III.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. Fl. 4224—*Gl. Fin.* 350-07-2, *dated* 20*th March* 1909.

The following draft of rules proposed to be issued under the Mysore Government Securities Regulation, IX of 1894, is published for general information:—

2. The draft rules will be taken up for consideration at the end of three months from the date of their publication in the Gazette. All suggestions and criticisms received on the subject during the said period will be duly considered.

By Order,
J. S. CHAKRAVARTI,
Financial Secretary to Government.

Rules under the Mysore Government Securities Regulation, IX of 1894.

In exercise of the powers conferred by Section 13 of the Mysore Government Securities Regulation, IX of 1894, the Government of His Highness the Maharaja of Mysore are pleased to make the following rules:—

Printing of interest cages and recording thereon of the payment of interest.

1. Interest cages showing the several half years for which interest will accrue, shall be imprinted on the reverse of each note issued and payment shall be recorded by the stamp of the Disbursing Office, or by a manuscript entry over the space apportioned to the half year concerned. The recording entry shall show the name of the Treasury, the number borne by the payment voucher, and the date of payment; this entry shall be authenticated by the initials of the Treasury Officer; and the holder's receipt shall be taken on the face of the payment voucher.

2. An endorsement or receipt by an Indian female must be attested by the signatures of at least two respectable witnesses, who must attend before the officer in charge of the Treasury where interest is payable, and certify to the genuineness of the endorsement or receipt.

Endorsement by an Indian female.

3. No notice will be taken of any trust appearing in an endorsement of transfer or receipt for interest. When a note is endorsed to, or receipted by, any person in his capacity of trustee or in any other representative capacity, such person will be treated in all respects as the true owner of the note.

Endorsement by a private trust not recognized.

4. A note, blank endorsed by the holder is not receivable at any Government Treasury or at the Comptroller's Office. The holder of any such security will therefore be required to specially endorse the same before submitting it for payment of interest.

A note, blank endorsed by the holder not receivable.

5. The holder of any note may be required to receipt the same for renewal in all or any of the following cases, that is to say:—

Cases in which renewal of Government Securities is necessary.

(1) If only sufficient room remains on the back of the note for one further endorsement or when any word or words is or are written upon the note across any existing endorsement or endorsements, all cross endorsements being strictly prohibited.

(2) If the note is torn or in any way damaged or crowded with writing or unfit in the opinion of the officer before whom it is produced for payment of interest for receiving endorsement.

(3) If the note bears an endorsement which transfers the note to, or is signed by, any person otherwise than in his personal capacity except in the undermentioned cases:—

(*a*) Where the transferee is a well known firm, corporate body, or Bank, or the signature attached to the endorsement is the usual name or signature of such a firm or purports to be the impression of the common seal of a corporate body with perpetual succession, or is the signature of the Secretary, Deputy Secretary, Manager, or Agent of a Bank or corporate body;

(*b*) Where an endorsement is made in his official capacity by the person holding for the time being one of the offices to which the Government of Mysore has, by Notification in official Gazette, declared Section 6, sub-section (1) of the Mysore Government Securities Regulation, IX of 1894, to apply;

(*c*) Where the transfer is made to or by a person in whose favour a certificate under the Succession Certificate Regulation (VII of 1901) or probate or letters of administration under the Indian Succession Act (X of 1865) has (or have) been granted by a Court of competent jurisdiction;

(*d*) Where the transfer is made to, or by the executor or an administrator of an estate, who is described as such therein such executor or administrator being shown to be the holder according to the tenor of the note and previous endorsements.

(4) If the endorsement is not clear and distinct, or if it is made on a paper affixed to Government Promissory Note.

(5) If, in the opinion of the officer before whom the note is presented for payment of interest, the title of the person so presenting the note is irregular or not fully approved.

(6) If the note in question being the counterpart note issued under the provisions of Rule 6, has ceased to be the property of a minor or to belong to an estate in which the administration is limited to interest.

In all or any of the preceding cases payment of any further interest on such note may be refused until the note is receipted for renewal and actually renewed.

6. In the case of any note which is the property of a minor or belongs to an estate in which administration is limited to interest, the Comptroller may upon such note being deposited with him issue to the holder of such note a counterpart thereof having the words "Counterpart not negotiable" stamped across the face thereof and further payments of interest may be recorded upon such counterpart. Whenever such note shall cease to be the property of a minor or shall cease to belong to an estate in which administration is limited to interest, the further payment of interest, in respect of the note may be refused until the first or any subsequent counterpart (as the case may be) issued in respect of it has been receipted and renewed in the manner provided in the last preceding rule. Upon such counterpart being receipted and renewed as aforesaid, the same together with the original note, and any preceding counterpart issued in respect thereof will be cancelled.

Issue and withdrawal of counterpart notes.

7. No payment of interest and no record or acknowledgment of the payment of interest and no issue of a counterpart note under the preceding rules is to be deemed or taken to be acknowledgment of the title of the holder of any note.

8. The following fee is payable in respect of applications under Sections 10 and 11 of the Mysore Government Securities Regulation, IX of 1894:—

Fee in respect of applications for renewal of notes or issue of duplicate.

For each renewed or duplicate security, rupee one.

9. A note tendered for renewal must be receipted on the reverse as follows:—

"Received, in lieu hereof, a renewed note payable to (name of holder), with interest payable at.....

Holder

Signature of the....."

Duly authorized representative of (name of holder).

10. If a person tendering a note for renewal applies for more than one note in lieu of the note tendered, the latter must be receipted on the reverse as follows, or in a form as near thereto as circumstances will admit:—

"Received, in lieu hereof, two (or more) notes for Rs..... respectively, payable to (name of holder), with interest payable at.....

Holder

Signature of the....."

Duly authorized representative of (name of holder).

11. If a person tendering more than one note for renewal applies for one consolidated note in lieu of the notes tendered, the latter must be receipted as follows, or in a form as near thereto as circumstances will admit:—

"Received, in lieu hereof, a new note payable to (name of holder), for Rs.....(by consolidation with Promissory Note or Notes Nos.....(mentioning the numbers and amounts of the other notes desired to be consolidated with it), with interest payable at.....

Holder

Signature of the....."

Duly authorized representative of (name of holder).

12. The form of receipt mentioned in the foregoing rules must be very clearly and correctly written, and there must be no ambiguity as to the name of the payee of the new note. The name of the holder as signed by him or as entered by the duly authorized representative below his own signature, should agree letter for letter with the name in the body of the note, or in the transferring endorsement, as the case may be. Where the holder himself signs the receipt, he may add his usual signature below.

13. The holder of any note requiring renewal may procure a renewed note in either of the following ways:—that is to say, he may present it duly receipted either in person or through a representative (1) at the Comptroller's

How and where Government Securities are to be renewed.

Office; or (2) at a Government Treasury for transmission to that office. The prescribed officer referred to in Section 10 of the Mysore Government Securities Regulation, IX of 1894, shall be the Comptroller.

14. The officer referred to in Section 11 of the Mysore Government Securities Regulation, shall be the Comptroller for the time being.

15. The Comptroller is authorized to prescribe the form of voucher for payment of interest and issue any subsidiary rules or instructions, not inconsistent with the above rules, which may be required for the guidance of the officers concerned.

Procedure on loss of Promissory Notes of the Mysore State Loans.

16. The loss or destruction of a Promissory Note of the Mysore State shall be notified, in the first instance, by a letter addressed to the Comptroller to the Government of His Highness the Maharaja of Mysore; such letter shall contain the following particulars:—

(1) Particulars of the note according to the following form:—
Promissory Note for Rs.....No.....of the.....per cent, Mysore State Loan of.....

(2) Last half year for which interest has been paid.

(3) To whom paid.

(4) Name of the person in whose name the note was issued (if known).

(5) Where enfaced at present.

(6) The circumstances attending the loss.

(7) Whether the loss was reported to the Police.

The above letter shall be accompanied by:—

(*a*) The Post Office Registry receipt for the letter containing the note, if the same was lost in transmission by post.

(*b*) The Police report, if any can be obtained.

(*c*) A letter signed by the Officer of the Treasury where interest was last paid certifying the last payment of interest made on the note and to whom the payment was made.

(*d*) If the applicant is not the last registered holder, all documentary evidence necessary to trace back the title to the last registered holder.

(*e*) Any portions or fragment which may remain of the lost or destroyed note.

A duplicate copy of the letter to the Comptroller must also be sent to the Treasury where interest is payable.

17. The loss or destruction of a Promissory Note shall be further notified by an advertisement both in English and Kanarese, which the applicant for a duplicate note shall cause to be inserted in three successive issues of the *Mysore Gazette*. Such notification shall be in the form following, or as near thereto as the circumstances will admit:

Lost or destroyed (as the case may be).

The Mysore Government Promissory Note No..... of the.....per cent loan of.....for Rs. ....., originally standing in the name of....., and last endorsed to..... , the proprietor, by whom it was never endorsed to any other person, having been lost or destroyed, notice is hereby given that payment of the above note and the interest thereupon have been stopped by the Comptroller to the Government of His Highness the Maharaja of Mysore and that application is about to be made for the issue of a duplicate in favor of the proprietor. The public are cautioned against purchasing or otherwise dealing with the abovementioned security.

Name of advertiser.....

Residence.....

18. At the expiration of six months from the date of the insertion of the last advertisement, the Comptroller, if satisfied of the loss or destruction of a portion of a note and of the justice of the claim of the applicant, and if a sufficient portion for the identification of the note so lost or destroyed shall have been produced, shall, upon the execution of such bond of indemnity (with or without sureties) as is hereinafter mentioned, issue to the applicant a duplicate note in lieu of that so lost or destroyed as aforesaid. If, however, no portion or no sufficient portion of the note so lost or destroyed shall have been produced as aforesaid, then at the expiration of the two years from the date of the insertion of such last advertisement, the Comptroller shall, if satisfied as aforesaid, pass an order directing the Treasury where interest is to be made payable upon the execution of such bond of indemnity as is hereinafter mentioned, to pay the applicant interest in respect of the note so lost or destroyed pending the issue of a duplicate note and also shall, at the expiration of six years from the date of the publication of the list in which the lost or destroyed security is first mentioned, if no reason to the contrary appear, issue to the applicant (on his executing and procuring the execution by two sureties of such indemnity bond as is hereinafter mentioned, should the same be deemed necessary by the Comptroller), a duplicate note in lieu of that so lost or destroyed as aforesaid.

19. The Comptroller may, within six years of the date of an order passed by him under the preceding rule, if he finds sufficient reason, alter or cancel such order, and may also require that the interval before the issue of a duplicate note be extended to twelve years, or such shorter period not being less than six years as he may think fit.

20. Indemnity bonds when taken on the issue of a duplicate note or notes shall be for twice the amount of such note or notes, and when taken on the issue of orders for payment of interest shall be for twice the amount of the interest involved, that is to say, twice the aggregate amount of all back interest accrued due on the note, plus twice the amount of all interest to accrue due thereon during the six years which will have to elapse before the issue of a duplicate note can be made. In simple cases such bonds may be issued by the Comptroller in a printed form prescribed by Government. No fee will be chargeable if a bond does not exceed in amount Rs. 500; but on bonds for higher amounts a fee of Rs. 5 for every Rs. 1,000 or part of Rs. 1,000 will be charged, provided that no fee for any one bond so issued shall exceed in amount Rs. 30. If, however, the Comptroller considers that the circumstances of the case demand that a bond shall be specially prepared by the Government Advocate, a fee of Rs. 32 shall be payable to that officer.

21. The list of securities lost or destroyed referred to in Section 11 (3) of Regulation, IX of 1894, in respect of which an order is made for payment of interest pending the issue of a duplicate security, or for the issue of such duplicate security, shall be advertised half yearly in the *Mysore Gazette*, in the months of January and July or as soon afterwards as may be convenient. All securities in respect of which an order has been passed as aforesaid shall be included in the first list published next after the passing of such order and shall continue to be advertised every half year until the expiration of six years from the date of first publication or from the date of the last payment of interest on the original securities, whichever is the later date. Such list shall contain the following particulars, *viz.*, the name of the loan and number of the lost note, its value, in whose name it was issued, from what date it bears interest, the name of the claimant for a duplicate, the number and date of the order passed by the Comptroller for payment of interest or issue of a duplicate, and the date of publication of the list in which such security was first mentioned.

No. R. 7709—*Ft.* 13-05-18, *dated 25th March* 1909.

Under Section 76 of the Mysore Forest Regulation (XI of 1900), the Government of His Highness the Maharaja are pleased to issue the following rules regarding the removal of sandal trees from occupied lands and the payment of bonuses to the occupants thereof :—

(1) No land owner shall have the right to insist that a sandal tree standing on his land be removed on the ground that it has grown to maturity or on any other ground than that of obstruction to cultivation or to object to the removal of any tree by the Forest Department in the course of its ordinary operations. The selection of the trees to be removed shall rest entirely with the officers of the Forest Department and those acting under their orders.

(2) Every mature sandal tree intended for removal in occupied lands shall be marked by the Range Officer with a hammer bearing the monogram S. F. (S standing for sandal and F for fell) just above the root stock after removing the outer bark and white wood. It will also have a serial number stamped on it corresponding with that contained in a register to be maintained by the Range Officer showing all the trees marked by him. This register will be maintained, according to Form C, appended hereto, and a monthly extract therefrom will be sent to the District Forest Officer.

(3) The Range Officer will then prepare a receipt in Form A, appended hereto, and give a credit note on the nearest Taluk Treasury showing the amount of bonus payable to the occupant. The receipt will contain the signature of the occupant both in the counterfoil and the duplicate and will be attested by the patel and shanbhog. The counterfoil will be sent to the Amildar simultaneously with the issue of the credit note and will be passed on by the Amildar to the District Forest Officer after the credit note is cashed with the fact of payment endorsed thereon. The District Forest Officer after the necessary check will return it to the Range Officer to be filed as a voucher.

(4) After the credit note is issued, the tree will be uprooted and roughly dressed, leaving a ring at the point where the measurement was taken and sent to the koti intact accompanied by the usual Passport (*vide* Form No. 55 of the Forest Code). In the "Remark" column of the form, the Range Officer will note the girth measurement of the tree, the survey number of the field and the name of the owner.

(5) The Koti Ranger or Forester, on receipt of the tree, will check the measurement and submit to the District Forest Officer a list of trees received during the month, on the first of the ensuing month in Form B appended hereto.

(6) The District Forest Officer will compare and check the koti list with the entries in the Ranger's register and vouchers. If they agree, he will file them; but if any discrepancies are noticed, he will take immediate steps to trace and reconcile the same.

(7) The District Forest Officer during the course of his tours, will check at least 15 per cent of the uprooted trees by actually measuring the trees at the koti and inspecting the localities from where they were uprooted and submit a certificate to that effect to the Conservator.

(8) In all cases where an occupant of land wishes to have any sandal tree growing on his holding removed, on the ground that it interferes with the legitimate use of his land, he shall make an application in that behalf to the Amildar. The Amildar on receipt of such application shall furnish the applicant with a written acknowledgment of the application and after causing the necessary enquiry to be made, will forward the application with his own opinion to the District Forest Officer. The District Forest Officer after such further enquiry as he may deem necessary and on being satisfied that the ground is valid will order the removal of the tree on payment of any compensation which may be prescribed in that behalf. The District Forest Officer's opinion as to the necessity for the removal of the tree will be final.

(9) If the applicant does not receive any answer within three months from the date of the acknowledgment received by him, permission shall be deemed to have been granted to him for the removal of the tree and he shall become entitled to all the benefits which he could have claimed according to the orders of Government if the tree had been removed by the Forest Department.

FORM A.

Book No..... *Receipt No*.....

Receipt for percentage value of sandalwood.

Name of occupant.....

Name of taluk.....

Name of village.....

Description of sandal trees.....

Survey number of field	No. of tree	Girth at 4 ft. above ground level	Rate	Amount
Total ...				

Witnesses. *Occupant.*

I hereby certify that a credit note for Rs..... has been issued by me this day.

Date *Range Officer.*

.....*Range.*

Book No..... *Receipt No*.....

Receipt for percentage value of sandalwood.

Name of occupant.....

Name of taluk.....

Name of village.....

Description of sandal trees.....

Survey number of field	No. of tree	Girth at 4 ft. above ground level	Rate	Amount
Total ...				

Witnesses. *Occupant.*

I hereby certify that a credit note for Rs..... has been issued by me this day.

Date *Range Officer.*

.....*Range.*

Note.—The Receipt forms will be in books of 50 forms in each in duplicate and shall be supplied on indent by the Conservator of Forests.

FORM B.

Book No..... *No*.....

List of mature sandal trees received at..... Koti during.....from.....Range.

Name of taluk	Name of village	Name of occupant	Survey number of field	Girth at 4 feet above ground level in inches	Remarks
Total ...					

Date..... *Koti Ranger.*

Book No..... *No*.....

List of mature sandal trees received at..... Koti during.....from.....Range.

Name of taluk	Name of village	Name of occupant	Survey number of field	Girth at 4 feet above ground level in inches	Remarks
Total ...					

Date..... *Koti Ranger.*

Note.—The form will be in books containing 50 forms in each in duplicate.

FORM C.

Register of mature sandal trees removed from occupied lands in.....Range.

Name of taluk	Name of village	Name of occupant	Survey number of field	Girth at 4 feet above ground level in inches	Date of marking	Amount of bonus to be paid			Date of issue of credit note	Date of payment in Treasury	Remarks
						Rs.	a.	p.			

No. R. 7710—*L. R.* 319-08-1, *dated 25th March* 1909.

After Rule 41 of the Land Revenue Rules, the following rule will be added:—

1. *Rule 41 A.*—Lands containing sandal trees when granted for occupation shall always be sold by auction and the upset price to be levied shall be calculated so as to include the present value of the bonus which the applicant might become entitled to receive by virtue of his ownership of the land for the sandal trees thereon under the orders of Government for the time being in force in this behalf.

2. Before any land containing a large number of sandal trees is granted for cultivation, the Forest Department shall be consulted and if there is a thick growth of sandal trees on the whole survey number, such number shall be reserved for Government. If there is a growth only in a portion of the survey number and the remaining portion does not contain many trees, such remaining portion may be granted for cultivation after being formed into a separate survey number, provided the extent does not fall below the minimum for the tract. In special cases where it is possible to mark off the portion containing sandal trees and reserve it, such portion even if below the prescribed minimum, may, with the sanction of the Revenue Commissioner, be sub-divided and reserved to Government, the remaining portion of the survey number being alone granted for cultivation with a proportionate reduction of assessment.

By Order,

K. S. CHANDRASEKHARA AIYAR,

Secy. to Govt., Gen. & Rev. Depts.